

REMARKS

Claims 16 to 19 were rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for the inhibition of TNF α , does not reasonably provide enablement for the treatment of cancers, inflammatory and/or immune disease or disorder. The Examiner states:

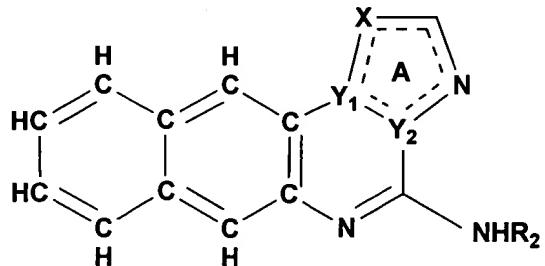
"The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to use the invention commensurate in scope with these claims."

Applicants, while not necessarily agreeing with the Examiner, in order to expedite the prosecution of this application have cancelled Claims 16 to 19.

Claims 1 and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. The Examiner states:

"Claims 1 and 10 recite limitations of $(R_4)_n$ and $(R_3)_m$. With "m" and "n" can be zero, R_4 and R_3 do not exist. Therefore, when "m" or "n" is zero, one of the benzo ring has incomplete valence."

The structural formulas in Claims 1 and 10 do not specifically include ring carbons and hydrogens, such atoms being understood. When n and m are zero, the formulas can be drawn as

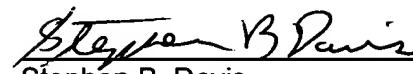


The representation shown in Claims 1 and 10 without the carbons and hydrogens is well known in the chemical art to be equivalent to the representation shown above. Applicants submit that Claims 1 and 10 are in full compliance with the requirements of 35 U.S.C. 112, second paragraph and particularly point out and distinctly claim the subject matter of this invention.

Applicants urge that Claims 1 to 15 are now in condition for allowance.

Respectfully submitted,

Bristol-Myers Squibb Company
Patent Department
P.O. Box 4000
Princeton, NJ 08543-4000
(609) 252-4338



Stephen B. Davis
Attorney for Applicants
Reg. No. 26,693

Date: *July 14, 2003*